

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Hidenori ISHII, et al.

Application No.: New PCT National Stage Application

Filed: September 27, 2005

For: RESOURCE ALLOCATING METHOD IN A RADIO BASE  
STATION AND THE RADIO BASE STATIONINFORMATION DISCLOSURE STATEMENTAssistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. JP '752 is discussed in the present application on page 6, line 2. All of these references except JP '752, JP '982, JP '383, and JP '153 were cited in an International Search Report dated June 22, 2004 (copy attached).

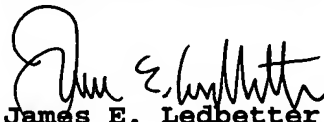
Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d

JC09 Rec'd PCT/PTO 27 SEP 2005

1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106.

Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



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Date: September 27, 2005

JEL/ejw

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